

REMARKS

This Amendment is being filed in response to the Office Action mailed September 17, 2008 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-11, 13-14 and 16-17 remain in this application, where claims 12 and 15 have been canceled without prejudice. Claims 1, 4, 5, 7, 10, 14 and 17 are independent.

By means of the present amendment, the drawings have been amended to change reference numeral 34 (pointing to the address transistor connected to data line 6) in FIG 10 to 16, in conformance with the specification and the rest of the drawings, such as page 15, line 6. A replacement sheet including FIG 10 is enclosed. Further, an annotated marked-up version of the sheet including FIG 10 is enclosed for convenience. Applicants respectfully request approval of the enclosed proposed drawing changes.

By means of the present amendment, the specification has been

amended to correct a certain informality.

By means of the present amendment, claims 2-3, 6, 8-9, 11 and 13 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A'. Such amendments to claims 2-3, 6, 8-9, 11 and 13 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner indicated that claims 4-9 and 15 would be allowable if rewritten in independent form.

Applicants gratefully acknowledge the indication that claims 4-9 and 15 contain patentable subject matter. Further, it is also believed that claim 12 includes patentable subject matter as there is no rejection thereto. By means of the present amendment, claims 4-5 and 7 have been rewritten in independent form. Further, independent claim 10 has been amended to include the features of claim 12. In addition, independent claim 14 has been amended to include the features of allowable claim 15 which has been canceled without prejudice. In addition, new independent claim 17 has been added that include features similar to the features of the allowable claim 15, now incorporated into independent claim 14.

Accordingly, it is respectfully requested that independent claims 4-5 and 7, 10, 14 and 17 be allowed. In addition, it is respectfully requested that claims 6, 8-9 and 11 also be allowed at least based on their dependence from independent claims 5, 7 and 10 as well as their individually patentable elements.

The Examiner provisionally rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4 and 6 of a copending Application No. 10/548,343. The Examiner indicated that a terminal disclaimer may be used to overcome this rejection. This rejection is respectfully traversed particularly in view of the present amendment to claim 1. However, it is respectfully submitted that Applicants will consider filing a terminal disclaimer, if necessary, upon indication that the present application is otherwise allowable.

In the Office Action, claims 1-3 and 13-14 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,229,506 (Dawson). Further, claims 1-3 and 13-14 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2006/0208979 (Fish). It is

respectfully submitted that claims 1-3, 13 and 16 are patentable over Dawson and Fish for at least the following reasons.

At the outset, it is respectfully submitted that Fish is not prior art to the present application. The present application has an effective filing date of March 29, 2003, which is before the Fish publication date of September 21, 2006. Further, the effective date of Fish is, at best, its PCT filing date of February 27, 2004 (and not its foreign priority claim date of March 15, 2003). That is, Fish was filed and published after the effective filing date of the present application. As the effective filing date of the present application of March 29, 2003 is before the Fish PCT filing date of February 27, 2004, Fish is not available as prior art with regard to the present application.

Dawson is directed to an LED pixel structure that reduces current non-uniformities and threshold voltage variations in a drive transistor. It is alleged on page 3 of the Office Action that capacitor 350 shown in FIG 3 of Dawson is equivalent to the second capacitor recited in independent claim 1. Assuming, arguendo, that the Dawson capacitor 350 is equivalent to the present second capacitor, there is still no disclosure or

suggestion in Dawson of the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided) :

a second drive transistor, operable only during pixel programming, for providing a drive current based on an input voltage provided to the a gate of the second drive transistor, the second drive transistor being driven with a reduced duty cycle for long enough for a desired voltage level be stored on the first storage capacitor.

These features are nowhere disclosed or suggested in Dawson. Dawson is not concerned about, and does not disclose or suggest reducing any duty cycle, let alone disclosing or suggesting driving a transistor with a reduced duty cycle for long enough for a desired voltage level be stored on a capacitor. Accordingly, it is respectfully submitted that independent claim 1 is allowable. In addition, claims 2-3, 13 and 16 are also allowable at least based on their dependence from independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

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submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By Dicran Halajian
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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Enclosure: Replacement drawing sheet (1 sheet including FIG 10)
annotated drawing sheet (1 sheet including FIG 10)

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101